

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Taz Ta'von Hammond,

Plaintiff

v.

State of Nevada; Officer Tyler Tomasek,

Defendants

Case No.: 2:24-cv-00310-JAD-EJY

**Indicative Ruling on
Voluntary Dismissal and
Request to Seal Docket**

[ECF Nos. 53, 54]

**Re: Pending Ninth Circuit Appeal
Case No. 24-6281**

Pro se plaintiff Taz Ta'von Hammond brings this 42 U.S.C. § 1983 lawsuit against Nevada Highway Patrol Trooper Tyler Tomasek over what he characterizes as “a troubling violation of constitutional rights during a routine traffic stop.”¹ Because Hammond’s single Fourth Amendment unreasonable-search claim for damages was related to an ongoing state-court prosecution and there was adequate opportunity to raise his constitutional challenges in that court, I stayed the case under *Younger v. Harris*.² Hammond appealed, and that appeal remains pending as Ninth Circuit Case No. 24-6281.

During the pendency of that appeal, Hammond has filed numerous motions and requests in this court, typically in an effort to get this district court to admit that it “lack[s] Article III

¹ ECF No. 14 at 6 (complaint). Hammond initiated this case by filing a notice of removal of his state-court prosecution for having a fictitious or revoked vehicle registration, characterizing that citation-based action as one “commenced under the special maritime and territorial jurisdiction of the United States” and 28 U.S.C. 1333. ECF No. 1. Hammond was ordered to file a complaint, ECF No. 4, and he did. ECF No. 14.

² ECF No. 34 (stay order).

1 judicial power.”³ This request is obviously confusing, considering that it was Hammond who
2 filed this case in the court that he’s claiming lacks the power to adjudicate it. But the confusion
3 seems to be tied to his further (illogical) theory that if *this* court lacks such power, “then it
4 follows that the state court” (handling his traffic case) “also lacks judicial power” to address
5 constitutional violations, so this court must lift the *Younger* stay.⁴ I’ve denied all such motions
6 during the pendency of the appeal.⁵

7 But on July 24, 2025, Hammond filed a pared down “Notice of Voluntary Dismissal and
8 Motion to Seal Case.”⁶ He states simply that he “voluntarily dismisses this action pursuant to
9 Rule 41(a)(2) of the Federal Rules of Civil Procedure.”⁷ He does not ask the court to admit that
10 it lacks Article III power. But in the next paragraph he “further moves . . . to seal the entire
11 record in this case, including all filings and docket entries, in the interest of privacy, judicial
12 economy, and the facilitation of potential future resolution.”⁸

13 Because this case is stayed, I construe Hammond’s dismissal notice as a motion to lift the
14 stay to permit him to voluntarily dismiss the case. **Because lifting the stay and dismissing this**
15 **case would impact the issues in the pending interlocutory appeal of the *Younger* stay order,**
16 **I advise the Ninth Circuit Court of Appeals in accordance with Federal Rule of Civil**
17 **Procedure 62.1 that I would grant the motion to lift the stay and grant the request for**
18 **voluntary dismissal were the Court to remand for that purpose.** But I would deny the
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20 ³ See ECF No. 40 at 1.

21 ⁴ *Id.* at 3.

22 ⁵ See, e.g., ECF No. 51.


23 ⁶ ECF No. 53.

⁷ *Id.* at 1.

⁸ ECF No. 54.

1 request to seal the docket because Hammond has not shown good cause for such sealing that
2 outweighs the public's right to access these records.⁹

3 The Clerk of Court is directed to **FORWARD this indicative order to the Ninth**
4 **Circuit Court of Appeals for consideration in conjunction with Case Number 24-6281.**

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7 U.S. District Judge Jennifer A. Dorsey
8 July 28, 2025
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22 ⁹ See *In re Midland Nat. Life Ins. Co. Annuity Sales Pracs. Litig.*, 686 F.3d 1115, 1119 (9th Cir.
23 2012) (quoting *Nixon v. Warner Commc'ns., Inc.*, 435 U.S. 589, 597 (1978)) (noting that "[t]he public has a 'general right to inspect and copy public records and documents including judicial records and documents'"). In dismissing the case, I would also deny as moot any other pending motions.